

Sec. 5.1300. (C-1) NEIGHBORHOOD COMMERCIAL DISTRICT.**Sec. 5.1301. Purpose.**

This district is intended to provide a center for convenience shopping in a residential neighborhood. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood, and shall be in locations where analysis of residential population demonstrates that such facilities are justified.

Sec. 5.1302. Approvals required.

No structure or building shall be built or remodeled upon land in the C-1 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1303. Use regulations.

A. *Uses permitted.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Business and professional.
 - a. Business and professional offices.
 - b. Municipal uses.
 - c. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the district.
 - (1) Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.
 - (2) Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).
 - (3) There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.
 - (4) Open space: Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.
 - (5) Parking: Parking shall observe the front yard setbacks of the district for all frontages. One-third (1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.
 - (6) Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district and screened by a minimum six-foot high wall.
 - (7) Drop off area: A drop off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.
 - (8) Any public trails or pedestrian connections shall be incorporated into the site plan

and approved by the development review board.

(9) Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.

2. Residential.

a. Dwelling units physically integrated with commercial activities (limited to one (1) dwelling unit for each business establishment).

3. Retail sales.

a. Bakery.

b. Bicycle store.

c. Candy shop including the making of candy.

d. Delicatessen.

e. Drugstore.

f. Grocery store or supermarket.

g. Ice cream parlor including the making of ice cream.

h. Liquor store.

i. Variety store including toy store.

j. Restaurant not including entertainment, dancing or sale of liquor, beer or alcoholic beverage, and excluding drive-in types.

k. Branch post office, on private property.

4. Service.

a. Appliance repair shop.

b. Bank.

c. Barber or beauty shop.

d. Clothes cleaning agencies and laundromats, excluding industrial cleaning and dyeing.

e. Fitness studio (limited to two thousand five hundred (2,500) square feet of gross floor area).

f. Hospital or clinic for animals including boarding and lodging; provided that there shall be no open kennels maintained and provided that all activities will be conducted in soundproof buildings.

g. Hotel-motel, twenty (20) rooms maximum.

h. Recyclable material collection center.

i. Shoe repair shop.

j. Churches and places of worship.

k. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.

l. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.

B. *Uses permitted but limited to two thousand five hundred (2,500) square feet of gross floor area.*

1. Camera store.

2. Craft shop.

3. Fabric store.

4. Florist.

5. Hardware.

C. *Uses permitted by conditional use permit.*

1. Automobile parts store limited to two thousand five hundred (2,500) square feet of gross floor area provided no rebuilding or machining of automobile parts is performed.
2. Coin-operated carwash.
3. Community buildings and recreational facilities not publicly owned.
4. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district (see section 1.403 for criteria).
5. Gasoline service station (see section 1.403 for criteria).
6. Health studio limited to two thousand five hundred (2,500) square feet of gross floor area.
7. Live entertainment (see section 1.403 for criteria).
8. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.
9. Restaurant in a neighborhood shopping center. Sales of alcoholic beverages are permitted as accessory uses to restaurant use upon compliance with following conditions:
 - a. Approval by the City Council of a specific floor plan for the restaurant facility.
 - b. The area being devoted primarily to the consumption of alcoholic beverages shall not exceed twenty-five (25) percent of the total public floor area.
 - c. Sales of alcoholic beverages shall be only for consumption on the premises. No package liquor shall be sold.
10. Public utility buildings, structures or appurtenances thereto for public service uses.
11. Internalized community storage (see section 1.403 for criteria).

(Ord. No. 1971, § 1, 8-4-87; Ord. No. 2324, § 1, 12-4-91; Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2620, § 1, 8-2-94; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3493, § 1, 3-4-03)

Sec. 5.1304. Property development standards.

The following property development standards shall apply to all land and buildings in the C-1 district:

- A. *Floor area ratio.* In no case shall the gross floor area of a structure exceed the amount equal to eight-tenths multiplied by net lot area in square feet. Floor area as defined in article VI.
- B. *Volume ratio.* In no case shall the volume of any structure exceed the product of the net lot area in square feet multiplied by 9.6 feet. Volume as defined in article VI.
- C. *Open space requirement.*
 1. In no case shall the open space requirement be less than ten (10) percent of the total lot area for zero (0) feet to twelve (12) feet of height, plus four-tenths percent of the total site for each foot of height above twelve (12) feet. Open space as defined in Section 3.100.
 2. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.
- D. *Building height.* No building shall exceed thirty-six (36) feet in height except as otherwise provided in article VII.
- E. *Density.* No requirements.
- F. *Yards.*
 1. Front Yard.
 - a. There shall be a front yard having a depth of not less than thirty (30) feet.

- b. Where a lot has double frontage on two (2) streets, the required front yard of not less than thirty (30) feet shall be provided on both streets.
- c. Where a lot is located at the intersection of two (2) or more streets, the required front yard of not less than thirty (30) feet shall be provided on one (1) street and a yard having a depth of not less than twenty (20) feet shall be provided on the intersecting street.
- d. Parking shall not be allowed in required front yards.
- e. Front yard requirements shall be as stated above unless special circumstances warrant waiver of those requirements by the Development Review Board.

2. Side Yard.

- a. A side yard of not less than fifty (50) feet shall be maintained where the side of the lot abuts a single-family residential district or abuts an alley which is adjacent to a single-family residential district. The fifty (50) feet may include the width of the alley.
- b. A side yard of not less than twenty-five (25) feet shall be maintained where the side lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.

3. Rear Yard.

- a. A rear yard of not less than fifty (50) feet shall be maintained where the rear lot abuts a single-family residential district or abuts an alley which is adjacent to the single-family residential district. The fifty (50) feet may include the width of the alley.
- b. A rear yard of not less than twenty-five (25) feet shall be maintained where the rear lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.

4. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review [Board] approval or use permit.

5. Other requirements and exceptions as specified in article VII.

(Ord. No. 1840, § 1, 10-15-85; Ord. No. 2818, § 1, 10-17-95; Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1305. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.1306. Signs.

The provisions of article VIII shall apply.